

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARK WILLIAM DROESSER, *et al.*,

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

Case No. 19-cv-12365

Honorable Judith E. Levy

Magistrate Judge Anthony P. Patti

**JOINT STIPULATION TO STAY ALL DEADLINES PENDING
TRANSFER AND CONSOLIDATION**

Plaintiffs Mark William Droesser, Jeffrey A. Ford, Jeffrey Fowlkes, Matthew Parker, and Trevor Wentz and Defendant Ford Motor Company (collectively, the “Parties”), hereby stipulate as follows:

1. This case is one of four parallel proceedings filed by the same Plaintiffs’ counsel in different federal courts,¹ which have common factual allegations and common legal claims concerning the marketing, sale, and performance of certain model year 2011-2019 Ford trucks equipped with 6.7L Power Stroke diesel engines containing CP4 fuel pumps (“Class Vehicles”).

2. By agreement of the parties, the *Nunez* and *Farlow* cases were transferred to the Eastern District of Michigan to seek consolidation with this case. Those cases have been assigned to this Court.

3. Ford also has moved to transfer the *Stevens* case (S.D. Tex.) to this Court under 28 U.S.C. § 1404(a), which Plaintiffs oppose.

4. Once the Southern District of Texas rules on Ford’s motion to transfer the *Stevens* case, the Parties will then file a joint motion to consolidate the other cases pending in the Eastern District of Michigan with this action pursuant to Fed. R. Civ. P. 42 and Local Rule 42.1.

¹ *Stevens, et al. v. Ford Motor Company*, No. 2:18-cv-00456 (S.D. Tex.), *Nunez, et al. v. Ford Motor Company*, No. 5:20-cv-10010 (E.D. Mich.), and *Farlow, et al. v. Ford Motor Company*, No. 5:20-cv-10202 (E.D. Mich.).

5. To conserve the resources of the Court and the parties, the Parties stipulate and agree that deadlines in this case should be stayed, including but not limited to the February 14, 2020 deadline for Ford to respond to Plaintiffs' Amended Complaint, while the Parties' motions for transfer, and possible consolidation, are addressed by the respective courts.

6. If any or all of the cases cited in footnote 1 are consolidated with this case, the Parties agree to promptly seek a scheduling conference for the Court to establish new deadlines. Alternatively, the parties will inform this Court promptly if the Southern District of Texas declines to transfer the *Stevens* case.

7. The Parties agree that neither side is prejudiced by the requested stay.

STIPULATED AND AGREED TO BY:

DATED: January 31, 2020

HAGENS BERMAN SOBOL SHAPIRO LLP

/s/ Jerrod C. Patterson (with consent)

Steve W. Berman

Jerrod C. Patterson

1301 Second Avenue, Suite 2000

Seattle, WA 98101

Telephone: (206) 623-7292

Facsimile: (206) 623-0594

steve@hbsslaw.com

Robert C. Hilliard

HILLIARD MARTINEZ GONZALES LLP

719 S. Shoreline Blvd.

Corpus Christi, TX 78401

Telephone: (361) 882-1612

bobh@hmgllawfirm.com

E. Powell Miller (P39487)
THE MILLER LAW FIRM, P.C.
950 W. University Drive, Suite 300
Rochester, MI 48307
Tel: (248) 841-2200
Fax: (248) 652-2852
epm@millerlawpc.com

Andrew Parker Felix, Esq.
MORGAN & MORGAN, P.A.
20 North Orange Ave., Ste. 1600
P.O. Box 4979
Orlando, FL 32801
Telephone: (407) 244-3204
Facsimile: (407) 245-3334
Andrew@forthepeople.com

Counsel for Plaintiffs

MCGUIREWOODS LLP

/s/ Perry W. Miles IV
Perry W. Miles, IV
Brian D. Schmalzbach
MCGUIREWOODS LLP
800 East Canal Street
Richmond, VA 23219
(804) 775-1000
pmiles@mcguirewoods.com
bschmalzbach@mcguirewoods.com

Courtney C. Shytle
MCGUIREWOODS LLP
201 North Tyson Street
Suite 3000
Charlotte, NC 28202
(704) 343-2000
cshytle@mcguirewoods.com

Stephanie A. Douglas (P70272)
Derek J. Linkous (P82268)
Grant A. Newman (P79799)
BUSH SEYFERTH PLLC
100 W. Big Beaver Rd., Ste. 400
Troy, MI 48084
(248) 822-7800
douglas@bsplaw.com
linkous@bsplaw.com
newman@bsplaw.com

Attorneys for Defendant Ford Motor Company